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**MAY 22 2006**

Appl. No. 09/997,915  
Notice of Appeal dated 05/22/2006  
Reply to Office Action of 02/23/2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: :  
Bhupesh Gupta :  
Serial No: 09/997,915 : Before the Examiner:  
 : Gautam Sain  
Filed: 11/29/2001 : Group Art Unit: 2176  
Title: APPARATUS AND METHOD : Confirmation No.: 6707  
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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner of February 23, 2006 to reject the claims.

In a final Office Action dated August 25, 2005, the Examiner rejected the claims in this Application under 35 U.S.C. §102(b) as being anticipated by Burke. On December 11, 2005 Applicants appealed this decision. In an Office Action dated February 23, 2006, the Examiner reopened the Application's prosecution. In that Office Action, the Examiner rejected the claims under 35 U.S.C. §103(a) as being unpatentable over Burke in view of Li et al.

The Li et al. reference, according to the Examiner, is used to show that it is known to have bookmarks be automatically categorized based on the content of the documents they mark. As can be seen from the claims in the Appeal Brief, none of the claims recites the limitations of having bookmarks be automatically categorized based on the content of the documents they mark. Consequently, Applicants fail to see the relevance of the Li et al. reference in the continued prosecution of the present Application. Therefore, Applicants request reinstatement of the Appeal.

Hence, Applicants need not pay a fee for this Notice of Appeal.  
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However, the Commissioner is hereby authorized to charge any additional fee, which may be required or credit any overpayment to Deposit Account No. 09-0447.

Respectfully Submitted

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